EXHIBIT A

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TENNESSEE

UNIVERSITY OF TENNESSEE RESEARCH FOUNDATION and SAINT MATTHEW RESEARCH, LLC,)))
Plaintiffs,	Civil Action No. 3:17-cv-00185-HSM-CCS
v. HEWLETT PACKARD ENTERPRISE COMPANY and HP ENTERPRISE))))
SERVICES, LLC	
Defendants.)

DECLARATION OF DEBORAH EATON IN SUPPORT OF HEWLETT PACKARD ENTERPRISE COMPANY'S MOTION TO DISMISS OR TRANSFER FOR IMPROPER VENUE

I, Deborah Eaton, declare as follows:

- 1. I am a senior paralegal at Hewlett Packard Enterprise Company ("HPE"). I make this declaration in support of HPE's Motion to Dismiss or Transfer for Improper Venue. The facts set forth herein are based on my personal knowledge and, if called upon to testify, I could and would competently testify thereto.
- 2. HPE is a Delaware corporation. Its business operations are headquartered in Palo Alto, California.
- 3. HPE does not operate any kind of facility in Tennessee. HPE does not own or rent any real estate in Tennessee.
- 4. HPE employs over 70,000 employees company-wide. According to HPE's records, only 17 of those 70,000-plus employees have home addresses within the geographic boundaries of the Eastern District of Tennessee.

- 5. Plaintiffs' complaint in this case (ECF No. 1) accuses the following HPE products and services of infringing one or more of the asserted patents: HPE Helion CloudSystem (versions 9.0 and 10.0); HPE Helion OpenStack (versions 3.0 and 4.0); and HPE Vertica (versions 7.2.x, 8.0.x, and 8.1.x) (collectively, the "Accused Products").
- 6. I have communicated with the 17 HPE employees with home addresses in the Eastern District of Tennessee, and they have indicated to me that none of them conducts business related to or otherwise works on (e.g., development, marketing, sales or customer or technical support) any of the Accused Products.
- 7. The complaint alleges: "On information and belief, HPE has partnered with several businesses throughout the State of Tennessee, including several Knoxville businesses, including, for example, Computer Systems Plus and GAMA Network Solutions LLC." Dkt. 1 ¶ 28. HPE identifies Computer Systems Plus and GAMA Network Solutions LLC as reseller "business partners," along with many other third party companies, its website. on https://findapartner.hpe.com, a true and correct copy of which is attached as Exhibit D. Indeed, there are roughly 7,000 such "partner" vendors in the United States alone. The two vendors named in the complaint have, in the past three years, sold no Accused Products, and have sold less than \$510,000 of other HPE products.
- 8. Attached as Exhibit B is a true and correct copy of the 2017 Program Guide for the HPE Partner Ready for Technology Partner Program. This exhibit describes the "partner" program.
- 9. To become a "partner" in this program, the vendor must sign a membership agreement and pay the relevant fee, if any. Attached as Exhibit C is a true and correct copy of this membership agreement between HPE and U.S. vendors that choose to participate in the HPE

Partner Ready for Technology Partner Program. This agreement defines the relationship between HPE and such "partner" vendors.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 29, 2017

Deborah Eaton